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DOCKET NUMBER
BYPRODUCTS 40-8027-MLA-4

DOCKETED
USNRC

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'99 OCT 28 P5:02

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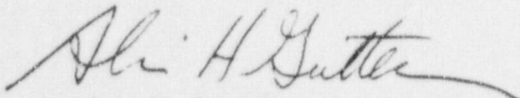
October 25, 1999

Administrative Judge Charles Bechhoefer
Presiding Officer
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear Judge Bechhoefer:

Page 2 of the Sequoyah Fuels Corporation's October 15, 1999, reply to the NRC Staff's Answer omitted a citation to the source of a quotation. The attached replacement page contains the omitted citation. I apologize for the inconvenience caused by this error.

Sincerely,



Alvin H. Gutterman

AHG/ar

Encl: a/s

cc: Certificate of Service

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which the Staff Answer and SFC's Response disagree, as well as many on which they agree. SFC continues to urge adoption of the positions stated in its September 24, 1999 Response, but is not repeating the bases for those positions in this Reply. For example, SFC's Response argues that the requested relief -- denial of NRC approval of the Decommissioning Plan-- would not redress the alleged injuries. The Staff Answer reaches the opposite conclusion. Although SFC continues to urge that the requested relief would not redress the alleged injuries, it is not elaborating on that argument in this Reply. Instead, this Reply focuses on arguments in the Staff Answer that were not and could not have been anticipated by SFC.

II. ARGUMENT

A. The Requirements of 10 CFR Part 40, Appendix A Do Not Apply to the SFC Facility

The Staff Answer relies on Appendix A to 10 CFR Part 40 (Appendix A) at numerous places as authority for concluding that certain alleged injuries provide a basis for standing or that certain areas of concern identify issues that are germane to the proceeding. In each of these instances, the Staff refers to Appendix A criteria as being "required," stating "applicable limits" or setting concentration levels that SFC "must not exceed." Such arguments are made at pages 7 (ns.3 and 5), 12 (n.9), and 31. These Staff arguments are wrong; Appendix A does not apply to the SFC facility.

When SFC proposed an on-site disposal cell in 1993, the NRC had not adopted the radiological criteria for license termination, and Appendix A was the regulatory provision that was most similar to the circumstances at the SFC site. Consequently, SFC stated its belief that Appendix A provided "a useful conceptual approach for an engineered onsite isolation facility for contaminated soils and other materials at SFC." Preliminary Plan for Completion of Decommissioning, 2-5. Since then, the NRC adopted the

CERTIFICATE OF SERVICE

I hereby certify that copies of a replacement for page 2 of Sequoyah Fuels Corporation's October 15, 1999, Reply to the NRC Staff's Answer have been served upon the persons listed below by U.S. mail, first class, postage prepaid, this 25th day of October, 1999.

Office of the Secretary
U.S. Nuclear Regulatory Commission
Attn: Rulemakings and Adjudications Staff
Washington, D.C. 20555-0001

Administrative Judge Charles Bechhoefer
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Washington, D.C. 20555-0001
Facsimile No. 301-415-5599

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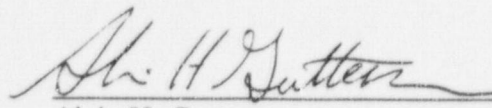
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

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